

From: Zvirzdys, Tom (OMWBE)
Sent: Wednesday, February 29, 2012 12:26 PM
To: Matsuzawa, Mick (OMWBE)
Subject: RE: Request for Additional NAICS Codes

Mick,

This is the file we discussed regarding Vicky S's email to you. I began working on the second NAICS request yesterday. The files and boxes were/are disorganized and there is some missing information that will need to be requested (some of it again) that should have been in the file already (i.e., current tax returns). Per Cathy's request on Monday, I added the code for Dump Trucking and a letter has been prepared to notify the firm of this change, this action was explained in the note to file in volume 9.

I sent an information request on January 11, 2012 (shown below) and the firm's responses or lack thereof are shown in red.

1. Please provide an updated business description for the activities your firm performs. Please put the most frequent activity first followed by less frequent activities. Please limit the description to 256 characters. Your current business description reads: "Dump trucking, demolition of earthwork and concrete structures, other crushed and broken stone mining and quarrying; construction sand and gravel mining; repair on highways streets and bridges". **Not provided**

This is necessary to understand what NAICS codes apply and to match the codes with the description.

2. Please provide a breakdown of your gross receipts by business activity for the last three years. **Not provided**

This is necessary for the state program to determine the primary NAICS code.

3. Please complete the attached duties sheet to include Vernon Rengen and Bruce Vetch and any and all other key employees. **Provided.**

This is necessary in determining operational and managerial control issues as well as income.

4. Provide 2008, 2009 and 2010 IRS Tax returns with all schedules and attachments for all the firms you are or have been executor for. **Not provided**

This information was necessary to determine size. The show cause results show that the firm's are no longer affiliated; however, the memorandum you received today states that this information needs to be requested to be a part of the file.

5. You provided a couple of invoices for flagging, please provide copies of contracts where you performed flagging activities. Please provide certified payroll that covers the contracts performed. **Copies of invoices (not contracts) were provided - Certified payroll was not provided**

Contracts help understand the applicants ability to control an activity. The certified payroll shows if it was actually her employees that worked on the particular job.

6. Copies of contracts where you rented equipment without an operator. **provided**

7. Purchase or lease documents for the crane(s). **Not provided**

To rent a crane, you have to have a crane to rent.

8. Copies of contracts where you performed crane rental with operator. Please provide certified payroll that covers the contracts performed. **Copies of invoices (not contracts) Not provided**

Contracts help understand the applicants ability to control an activity. The certified payroll shows if it was actually her employees that worked on the particular job.

9. Copies of contracts where you performed concrete work for the requested code 238110. Please provide certified payroll that covers the contracts performed. **One invoice provided – certified payroll Not provided**

Again, certified payroll to determine who did the concrete work.

10. Who will you depend on to operate the crane(s). **Not provided**

11. Please provide operating certificate for your crane(s). **Not provided**

UL labs has to certify cranes to certify operational safety before they can be used in WA.

12. Copies of contracts where you performed work for the requested code 237990 in the category of Other Heavy and Civil Engineering Construction. Please provide certified payroll that covers the contracts performed. **Misc invoices and contracts provided – certified payroll Not provided**

Contracts help understand the applicants ability to control an activity. The certified payroll shows if it was actually her employees that worked on the particular job.

13. Copies of contracts where you performed work 237310 in the category of Bridge Approach Construction. Please provide certified payroll that covers the contracts performed. **Not provided**

Contracts help understand the applicants ability to control an activity. The certified payroll shows if it was actually her employees that worked on the particular job.

14. Who will supervise the activities for the above requested codes? **Not provided**

Help determine operational control of the firm and discover possible independence issues.

15. L&I Quarterly reports for the most recent 36 months. Not provided

To compare to certified payrolls and determine whose employees are being used.

16. Please provide updated equipment list. Not provided

We have a few lists already, but the ones we have are fragmented by showing sales of pieces of equipment that were conglomerated from other firms. The lists do not appear to be accurate because of the sales and equipment that is for sale (per firm website).

Before making an determination, I will need to send a second request that will include the above requests as well as to complete Vicky Schiantarelli's directive to collect probate documentation for all firms the applicant probated, tax return for three years for all firms probated, the applicant's personal taxes, and a couple other things (Cathy has the memorandum, so I made my best recollection of the request) on the memorandum. This morning I have been addressing other issues and have not had a full opportunity to immerse myself in the analyzing the request for this file. Let me know when you want to meet to draft a response.

Tom